

Soybean License Agreement (Exhibit B to the Complaint) and (2) a Roundup Ready[®] Corn License Agreement (Exhibit C to the Complaint) (hereafter referred to collectively as the “License Agreements”). The specific terms of the License Agreements are subject to confidentiality provisions contained within the underlying licenses. See Exs. B & C to Complaint, at § 10.06.

2. In addition, Exhibit 6 to the memorandum in support is a confidential document. This Court has previously allowed the parties to file various un-redacted pleadings and confidential documents under seal. See e.g., Docket Text Orders entered May 20, 2009 and June 17, 2009. Further, the protective order entered herein provides for the filing of confidential information and documents under seal.

3. Portions of Monsanto’s Memorandum in Opposition to Defendants’ Motion for Leave to File Second Amended Answer and Counterclaims contain language quoted directly from the confidential documents. Therefore, these portions, and Exhibit 6 thereto, should be sealed. Monsanto will also file a redacted version of its Memorandum of Law in Support of Monsanto’s Motion to Dismiss Certain Antitrust, Patent and Contract Counterclaims and/or to Strike Certain Patent and Contract Affirmative Defenses as part of the public record.

WHEREFORE, Monsanto respectfully requests the Court enter an order allowing Monsanto to file a complete, un-redacted copy of Memorandum of Law in Support of Monsanto’s Motion to Dismiss Certain Antitrust, Patent and Contract Counterclaims and/or to Strike Certain Patent and Contract Affirmative Defenses, and Exhibit 6 thereto, under seal.

Dated: September 10, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of September, 2010, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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